



Department of Energy
Washington, DC 20585

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MEMORANDUM FOR HEADS OF DEPARTMENTAL ELEMENTS

FROM: M. G. WILLIAMS, JR.
ASSOCIATE DEPUTY SECRETARY

M. G. Williams, Jr.
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SUBJECT: Alternative Dispute Resolution

Recent activities concerning the Federal budget have made it clear how important it is for government to maximize productivity and reduce costs. In doing so, we need to examine and address the impact that unresolved conflicts have on our efficiency and mission accomplishment.

During periods of change, conflict is inevitable. Potential conflicts, arising among our employees, contractors, or stakeholders, may involve employment issues, the health and safety of employees, environmental matters, technology transfer issues, regulation, or enforcement. While conflict can be the gateway for improved communication and collaboration, we should strive to prevent unresolved issues from slowing our work or making it more costly to the taxpayers.

DOE strongly supports the use of Alternative Dispute Resolution (ADR) as a way to prevent or minimize disputes, or to resolve disputes at the earliest stage possible, in a timely, cost-effective manner. ADR encompasses a variety of techniques, including mediation, facilitation, fact finding, group conflict management, and conflict coaching.

DOE's Office of Conflict Prevention and Resolution (OCPR) — now part of the Office of Hearings and Appeals — stands ready to assist DOE components and contractors in exploring efficient means of preventing conflicts and resolving disputes through use of appropriate ADR. In addition to consulting and developing programs that employ alternative means of conflict prevention and dispute resolution, OCPR designs and delivers customized training in communication and negotiation techniques. All of these skills are essential in working productively to accomplish DOE's mission and possibly avoid the excessive costs of protracted litigation.

While some disputes ultimately may not be resolved through ADR, I encourage employees and managers to attempt mediation and any other ADR techniques to resolve conflict at the earliest possible opportunity. Participation in mediation is always voluntary; however, if an employee requests mediation, managers are expected to participate, absent unusual circumstances. Effective communication, collaboration, and dispute resolution, both inside and outside DOE, are essential to our success as an Agency. I strongly urge employees and managers across the complex to call upon OCPR and learn how it can assist managers in preventing or resolving any conflict. OCPR may be reached at (202) 586-6972.

